

REMARKS

STATUS OF THE CLAIMS

Claims 1, 5, 11, 17, 26, 28 and 36 have been amended. Claims 1-45 are pending and under consideration. Claims 1, 5, 11, 17, 26, 28, 30 and 36 are the independent claims. Applicants assert that no new matter has been added.

REJECTION UNDER 35 U.S.C. § 102(e)

Claims 1-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shear et al. (US Patent Application Publication 2001/0042043, hereinafter Shear). This rejection is respectfully traversed.

In response to the previously filed Amendment, the Office Action on page 2, item 6, stated that features upon which the Applicants relies (i.e. modify some attributes) are not recited in the rejected claims. Applicants assert that this feature is supported by the recitation of "a first set of user modifications ... and... a second set of user modifications" as recited by claim 1 (lines 5-9). To prevent such an interpretation by the Examiner and to clarify the modification feature in view of the January 28, 2008 Examiner Phone Interview, claim 1, for example, has been amended to recite "a first set of user modifications may be made for editing a first set of said data types... and... a second set of user modifications may be made for editing a second set of said data types" (lines 5-9). Applicants submit that Shear fails to describe such features.

As shown in the Specification, particular embodiments of the present invention allow for various levels of access to a mixed-media data file (see Specification paragraph [0058]). As shown for example in Figure 10, various levels of access (e.g. A-G) each provide an access type (e.g. Model/Texture Editing). Thus, depending on user's access level, the user will have the ability to decode and modify only certain components of the mixed-media data file. For example, a user with access level F - "Model/Texture Editing" - would be able to modify the relevant components of the data file shown for example in Figure 9.

In contrast, Shear describes a system wherein secure "software containers" are used to protectively encapsulate various digital property content and control objects. These software containers, however, do not correspond to "access levels" as described in claim 1 for example because Shear merely describes a *rights management system* where mere access to content is controlled, but fails to describe the ability to control modification of particular content. On page 2, the Office Action points to Figure 3B of Shear as allegedly teaching that access control of specific parts and modification are allowed. However, as shown in Figure 3B, access to *modify*

the content is not permitted. For example, Figure 3B, element 222(1) describes a copy once feature, element 222(3) describes extraction, and element 222(4) describes the ability to view certain stills. Thus, according to the controls described in Figure 3B, a user may only copy, extract, or view, but may not modify or edit the original content. In addition, the Office Action cites pars. 79-80 of Shear as teaching extending the digital rights management through the editing process. Shear, however, merely states that the "rights management of content essentially can be extended throughout and across each appropriate content creation, editing, distribution, and usages states" without providing any further details (see [0079-0080]). Therefore, merely extended the limited rights management features as described in Figure 3B to the editing process, still fails to describe the ability of modifications to a set of data based on the access level as recited by claim 1.

Accordingly, Applicants assert that Shear fails to either explicitly or implicitly teach "in a first level access, a first set of user modifications may be made for editing a first set of said data types in response to a first accessing activity and, in a second level access, a second set of user modifications may be made for editing a second set of said data types in response to a second accessing activity" as recited by claim 1.

Independent claims 5, 11, 26 and 28 recite "a first accessing activity provides a first level of access for modifying a first set of... data... and a second accessing activity provides a second level of access for modifying a second set of... data," and therefore, patentably distinguish over the cited art.

Independent claim 17 recites "a first accessing activity provides a first level of access for modifying a first set of said data types and a second accessing activity provides a second level of access for modifying a second set of said data types," and therefore patentably distinguishes over the cited art.

Independent claim 30 recites "media data is encoded at a transmitting station; said encoded data is transmitted to a receiving station; and said transmitted data is decoded at a receiving station, wherein said transmitted encoded data includes data fields configured to allow levels of access to a user in response to particular user access activities." As described above, Shear differing levels of access, and therefore, fails to describe "configured to allow levels of access to a user in response to particular user access activities" as recited by claim 30. Accordingly, claim 30 patentably distinguishes over the cited art.

Independent claim 36 recites "a first accessing activity provides a first level of access for modifying a first set of said mixed-media data and a second accessing activity provides a

second level of access for modifying a second set of said mixed-media data," and therefore patentably distinguishes over the cited art.

Dependent claims 2-4, 6-10, 12-16, 18-25, 27, 29, 31-35 and 37-45 inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least the reasons discussed with respect to their respective base claims. In addition, the dependent claims are patentable over the cited art for the additional features recited therein. For example, claim 12 recites:

wherein said **media data types include** motion data, model data, deformation parameters, constraints, expressions or relations, textures, colour values, cameras, lights, video, audio, device information, a timeline or user data or any combination of these data types

(lines 1-4, emphasis added). Shear fails to describe any such media data types.

In view of the above, applicants assert that claims 1-45 patentably distinguish over the cited art and respectfully request the rejection be withdrawn.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
Randall Beckers
Registration No. 30,358

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501